

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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JUSTIN LEE DOUGLAS,

Plaintiff,

v.

DR. STANGE, et al.

Defendants.

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ORDER

Case No. 24-cv-6-jdp

On February 1, 2024, I ordered plaintiff Justin Lee Douglas to make an initial partial payment of the filing fee in the amount of \$0.65 by February 26, 2024. Now plaintiff has filed a motion for an order directing prison officials to allow the plaintiff to withdraw \$0.65 from a release account to make the payment. I will grant the motion.

Under the Prison Litigation Reform Act, an inmate who files a lawsuit in federal court under the *in forma pauperis* statute, 28 U.S.C. § 1915, must pay the \$350 filing fee, first by making an initial partial payment under § 1915(b)(1), and then by paying the remainder of the filing fee in monthly installments under § 1915(b)(2). If a prisoner does not have sufficient funds in a regular inmate account to make the initial partial payment, then the prisoner may withdraw funds from a release account for that purpose. However, prison officials will draw funds first from the prisoner's regular account, and then, if any portion of the initial partial payment remains, from the prisoner's release account. *Carter v. Bennett*, 399 F. Supp. 2d 936 (W.D. Wis. 2005).

Plaintiff's regular account lacks sufficient funds to make the initial partial payment of the filing fee. Accordingly, I will direct prison officials to allow plaintiff to withdraw up to \$0.65 from a release account to make the payment.

ORDER

IT IS ORDERED that prison officials shall disburse up to \$0.65 from plaintiff's release account to satisfy the initial partial payment of the filing fee. Plaintiff's initial partial payment is due by March 14, 2024.

Entered this 21<sup>st</sup> day of February, 2024.

BY THE COURT:

/s/  
ANDREW R. WISEMAN  
United States Magistrate Judge